

13th March, 2006 Application No. 10/520,995 Response to Office action 16th December, 2005

Claim Rejections – 35 UCS : 102

+ *The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:*

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The benefits achieved of using annular shaped magnets with open magnetic fields at the bottom of and inside a wall is new, inventive and non obvious.

I do not believe my invention has been disclosed in any prior art for the reasons I will explain later in this response document.

Claim Rejections - 35 USC § 103

• *The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:*

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

That something could in theory have been done but clearly was not is not enough to make that an obvious solution to a problem that was not stated as needing a solution. i.e. automatic seeking, location and connection in difficult and/or out of reach locations with no possibility of a misconnection in an offset position.

The cited prior art does not disclose the benefits of my connector because they can easily connect offset.

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Claim Examination

*** Claim(s) 1,2-6 and 8 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Mathauser (US 3810258).*

Generally, *Mathauser (US 3810258)* does not enjoy the benefits of Applicant's claims of automatic seeking, locating and connecting properties in a non offset position and therefore this prior art does not disclose the arrangement of the present invention. Also, in its stated field, the use of its exposed outer and inner metal rings for 'low voltage electrical current' is quite acceptable but its use as a lighting or power connector at mains voltages could be lethal.

In response to the objection to the original Claim 1, Claim 1 is now amended.

In response to the objection to the original claim 2, I do not agree that Mathauser anticipates the original Claim 2 for the following reasons:

The Mathauser prior art apparatus does not satisfy the claimed structural limitations i.e. 'magnetic misconnection means to prevent the male and female from connecting in a non-concentric position'.

The Mathauser connector's magnets can easily enter each other's 'offset connection zones' and connect offset. (These zones are explained on page 21 line 23 to page 22 line 26 of the description and shown in figures 17 to 19 of the drawings)

Please see accompanying sheet A1 and A2 showing examples of how this prior art can connect in an offset position. It is unclear what the actual polarities of the magnets are in any situation but in sheet A1 figures 'a' and 'b' show Mathauser's figure 2's connector with each half having respective opposite poles with both centre and outer magnets exerting similar polarities. Figures 'c' and 'd' show each half having respective opposite poles but this time centre and outer poles are also opposites.

Sheet A2 figure 'e' shows how Mathauser's figure 7's connector's magnets can be attracted to a position where they enter each other's offset connection zones and stick in an offset connection.

This clearly shows that, in Mathauser, the 'forwardly projecting conical tip 16' is not 'magnetic misconnection means' as it fails to prevent the possibility of the magnets entering their offset connection zones and connecting in a non-concentric position.

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In response to the objection to the original claim 3, claim 3 is now incorporated into amended claim 1.

Since each of the subsequent Claims is now appendant to amended Claim 1, the amended Claim 1 now incorporating original claims 1, 2 and 3 should overcome any objections to all subsequent claims with reference to this prior art.

However in addition I should like to make the following points.

Claim 4. As said above regarding claim 2, Mathauser does not show a wall extending away preventing a non-concentric connection. Mathauser can easily connect offset.

Claim 5 and claim 6. In Mathauser there is no mention in the Abstract, Description or Claims of pendent or pendent means and I disagree that Mathauser shows one of the connectors connected to the pendent means 24. Mathauser only refers to item 24 as to its type of material encasing the wires being plastic or the like.

As to what the connector is attached to, Mathauser only refers to and shows a flange (column 3, lines 34 -38 and item 25 in figure 2 and item 49 in figure 7) which he states is fixed to 'a suitable housing means, wall, partition or the like.' This is effectively stated again in column 4 lines 45 – 53. There is no mention of pendants or pendent means

Also, in the drawings all the wires go down and not up as would be needed for anything to give an impression of the possibility of any sort of pendent means.

Mathauser (US 3810258) has not addressed the problem which is addressed by the present applicant, namely the automatic seeking, locating and connecting properties of the applicant's invention. The arrangement of the present application is clearly distinguished from the arrangement of the said Mathauser patent application by the features which are set out in the Applicant's claim.

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*** Claim(s) 1, 2, 8-10 and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Brazier et al. (UK Patent Application 2360637).*

In response to the objection to the original Claim 1, Claim 1 is now amended

In response to the objection to the original Claim 2, *Brazier (GB 2360637A)* does not enjoy the benefits of Applicant's claims of automatic seeking, locating and connecting properties in a non offset position and therefore this prior art does not disclose the arrangement of the present invention.

Brazier does not have magnetic misconnection means to prevent the male and female parts from connecting in a non-concentric position.

The Brazier connector's magnets can easily enter each other's offset connection zones and connect offset.

Sheet B1 shows Brazier connected in a non-concentric position.

This clearly shows that the structure of *Brazier (GB 2360637A)* does not have magnetic misconnection means and is substantially different from the invention as claimed in that it fails to prevent the possibility of the magnets entering their offset connection zones and connecting in a non-concentric position.

Since each of the subsequent Claims is now appendant to amended Claim 1 and Brazier does not anticipate and is not substantially the invention claimed. The amended Claim 1 now incorporating original claims 1, 2 and 3 should overcome any objections to all subsequent claims with reference to this prior art.

Given that the amended Claim 1 now possesses both novelty and inventiveness having regard to any one piece of cited art, and no proper motive for combining the pieces of prior art, it is clear that Applicant's amended Claim 1 is both novel and inventive. That being so, all the claims appendant to Applicant's amended Claim 1 should be similarly allowable over the cited art.

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Conclusion

The Applicant believes the present invention represents a significant step forward in this art, solving the problem of automatic seeking, locating and connection in difficult and/or out of reach locations. That something so simple and operates so successfully has eluded the industry will often of itself be a pointer towards inventive merit. The Applicant believes his inventive step deserves the award of a patent.

We trust that on further review the Examining Division will agree with the applicant in relation to all the points raised in this response and that as a consequence, the next communication from the USPTO will be favourable.

However, if there should be any remaining point the applicant differs from the Examiner substantially as to the technical facts, the Applicant is most willing to telephone the Examiner, if for some reason he still does not see matters in the way in which Applicant does, in the hope that a brief discussion may resolve matters.

Thank you for your assistance in this patent application.

Yours faithfully

A handwritten signature in black ink, reading "Graham J McLeish". The signature is written in a cursive style with a large, stylized 'G' and 'M'.

Graham John Mcleish